

10/549871

JC17 Rec'd PCT/PTO 16 SEP 2005

Docket No.: 12810-00126-US  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Andreas Künkel et al.

Application No.: Not Yet Assigned

Confirmation No.: N/A

Filed: Concurrently Herewith

Art Unit: N/A

For: METHOD FOR PRODUCING ERGOSTA-  
5,7-DIENOL AND/OR BIOSYNTHETIC  
INTERMEDIATE AND/OR SECONDARY  
PRODUCTS THEREOF IN TRANSGENIC  
ORGANISMS

Examiner: Not Yet Assigned

**INFORMATION DISCLOSURE STATEMENT (IDS)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement accompanies the new patent application submitted herewith.

**IT IS NOTED THAT REFERENCE "CG" POLAKOWSKI IS CITED AT PAGE 2, LINES 29-32 OF THE SPECIFICATION.**

Of the documents listed on the attached SB/08 are the documents cited in the International Search Report during the prosecution of international application no.

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PCT/EP2004/002582, which corresponds to the above referenced application and in accordance with 37 CFR 1.97(b)(2), Applicants hereby submit these documents for the Examiner's consideration. A copy of each reference on the PTO/SB/08 is attached.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such. Moreover, Applicants understand the Examiner will make an independent evaluation of the cited documents.

Applicants believe no fee is due with this response. However, if a fee is due, the Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 03-2775, under Order No. 12810-00126-US from which the undersigned is authorized to draw.

Respectfully submitted,

By \_\_\_\_\_  
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Substitute for form 1449A/B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				<b>Complete If Known</b>	
				Application Number	Not Yet Assigned <b>104549871</b>
				Filing Date	Concurrently Herewith
				First Named Inventor	Andreas Kunkel
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	1	of	1	Attorney Docket Number	12810-00126-US

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> -Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
	BA	EP-0 486 290 A2	05-20-1992	Amoco Corporation		
	BB	CA-2 305 780 A1	04-08-1999	Schering Aktiengesellschaft		
	BC	DE-197 44 212	04-15-1999	Schering AG		See CA 2 305 780
	BD	WO-02/061072 A2	08-08-2002	Monsanto Technology LLC		
	BE	WO-03/064650 A1	08-07-2003	BASF Aktiengesellschaft		See Abstract

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>	
	CA	Basson, M. et al., "Structural and Functional Conservation Between Yeast and Human 3-Hydroxy-3-Methylglutaryl Co-enzyme A Reductases, The Rate-Limiting Enzyme of Sterol Biosynthesis", <i>Molecular and Cellular Biology</i> 8 (1988), pp. 3797-3808.		
	CB	Polakowski, T. et al., "Overexpression of a Cytosolic Hydroxymethylglutaryl-CoA Reductase Leads to Squalene Accumulation in Yeast", <i>Appl. Microbiol. Biotechnol.</i> 49 (1998), pp. 66-71.		
	CC	Kalb, V.F. et al., "Isolation of a Cytochrome P-450 Structural Gene from <i>Saccharomyces cerevisiae</i> ", <i>Gene</i> 45 (1986), pp. 237-245.		
	CD	Jandrositz, A. et al., "The Gene Encoding Squalene Epoxidase from <i>Saccharomyces cerevisiae</i> : Cloning and Characterization", <i>Gene</i> 107 (1991), pp. 155-160.		
	CE	Jennings, S. et al., "Molecular Cloning and Characterization of the Yeast Gene for Squalene Synthetase", <i>Proc. Natl. Acad. Sci. USA</i> 88 (1991), pp. 6038-6042.		
	CF	Tainaka, H. et al., "Effects of Elevated Expression of the CYP51 (P45014DM) Gene on the Sterol Contents of <i>Saccharomyces cerevisiae</i> ", <i>Journal of Fermentation and Bioengineering</i> 79 (1995), pp. 64-66.		
	CG	Polakowski, T., "Molekularbiologische Beeinflussung des Ergosterolstoffwechsels der Hefe <i>Saccharomyces cerevisiae</i> ", Shaker Verlag Aachen, Dissertation, Technischen Universität Berlin, Germany, 1999, pp. 59-66.		

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<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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